

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MICHELLE AGUILAR,
Plaintiff,

v.

HUBBELL LENOIR CITY, Inc.,
Defendant.

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No. 3:09-cv-406
(Phillips/Guyton)

ORDER

This retaliatory discharge action is before the court on the report and recommendation filed by United States Magistrate Judge H. Bruce Guyton. [Doc. 40]. There have been no timely objections to the report and recommendation, and enough time has passed since the filing of the report and recommendation to treat any objections as having been waived. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of this matter, the court is in complete agreement with the magistrate judge's recommendation that the Defendant's Motion to Dismiss for Plaintiff's Failure to Prosecute, or in the Alternative, Failure to Comply with Discovery Order [Doc. 34] be **GRANTED**, and the Plaintiff's claims be **DISMISSED**. Accordingly, the court **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED**, for the reasons stated in the report and recommendation, which the court adopts and incorporates into its ruling, that the

Defendant's Motion to Dismiss [Doc. 34] is **GRANTED**, and the Plaintiff's claims are **DISMISSED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge